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**STATE OF WASHINGTON
DEPARTMENT OF FINANCIAL INSTITUTIONS
SECURITIES DIVISION**

IN THE MATTER OF DETERMINING
Whether there has been a violation
of the Business Opportunity Fraud Act of the
State of Washington by:

Nationwide Marketing, Wayne Alexander, their
agents and employees,

Respondents.

SDO - 091 - 02

ENTRY OF FINDINGS OF FACT AND
CONCLUSIONS OF LAW AND FINAL
ORDER TO CEASE AND DESIST

Case No. 02-05-181

ACO No. 11026

THE STATE OF WASHINGTON TO:

Nationwide Marketing
Wayne Alexander
4150 Hancock Bridge Parkway #23-194
North Fort Myers, FL 33903

On August 29, 2002, the Securities Administrator of the State of Washington issued Summary Order to Cease and Desist SDO-080-02, hereinafter referred to as the "Summary Order."

The Summary Order, together with a Notice of Opportunity to Defend and Opportunity for Hearing (hereinafter referred to as "Notice of Opportunity for Hearing") and an Application for Adjudicative Hearing (hereinafter referred to as "Application for Hearing"), were served via certified mail on Respondents Nationwide Marketing and Wayne Alexander on September 5, 2002. The Notice of Opportunity for Hearing advised Respondents that they had twenty days from the date they received the notice to file a written application for an administrative hearing on the Summary Order.

Each of the Respondents failed to request an administrative hearing within twenty days of its receipt of the Summary Order and Notice of Opportunity for Hearing, either on the Application for Hearing provided or otherwise.

The Securities Administrator therefore adopts as final the findings of fact and conclusions of law as set forth in the Summary Order:

FINAL ORDER TO CEASE AND DESIST

1

Nationwide Marketing

DEPARTMENT OF FINANCIAL INSTITUTIONS
Securities Division
PO Box 9033
Olympia, WA 98507-9033
(360) 902-8760

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FINDINGS OF FACT

I.

Nationwide Marketing maintains a business address of 4150 Hancock Bridge Parkway #23-194, North Fort Myers, Florida. Nationwide Marketing is the seller of an opportunity involving payment for in-home mail processing (the “mail processing opportunity”). Wayne Alexander is a principal of Nationwide Marketing.

II.

In early 2002, Respondents Nationwide Marketing and Wayne Alexander mailed, or caused to be mailed, a promotional flyer concerning a “Home Mailer Processors” mail processing opportunity to at least one resident of the state of Washington. The flyer, which identified Wayne Alexander as “Owner” of Nationwide Marketing stated, in part:

HELP WANTED! HOME MAIL PROCESSORS NEEDED IMMEDIATELY!

Thank you for requesting our information. You finally have a genuine opportunity to earn an excellent weekly income working from home. If you are willing to mail our sales brochures for \$4.00 each, and be paid in advance, then our company would like you to join the highest paid team of home workers today.

THIS IS EASY ENJOYABLE WORK THAT CAN BE DONE AT HOME!

Working with our company, you will help solve your money troubles. Eliminate concerns about not having enough money to pay the bills, or to dot the things that you have always dreamed about. If you have always wanted an easy way to work from home in your spare time, while still earning an above average income, you owe it to yourself to check out our offer. We are looking for hardworking people who want an easy way to create an income from their home.

The flyer provided that offerees were required to send to Respondent Nationwide Marketing a “one-time” registration fee of \$40. The flyer also provided the following:

This may be your only real chance to earn money from home, by becoming part of our successful mail order business. As an active participant of our company, you will receive immediate payment for ALL the envelopes you mail. You never pay for supplies or postage! You never purchase mailing lists! You never do any personal selling! And you income is guaranteed to be paid to you, in advance! Your job will be to secure, stuff, and mail envelopes for our company.

1 This program allows you to earn a good living with a company that needs home workers, to mail their
brochures. This program has been so successful and profitable, that it has been adopted by many firms.

2 Take part in our success. The amount of money you earn is up to you. There are no obligations. You can
3 quit whenever you want. All the work is done from your home, and you can start immediately! You will
be supplied with the envelopes already stamped and addressed.

4 WE GUARANTEE that everything we have said about this program is true, and that you will be delighted
5 with your income. Our success depends on your 100% satisfaction with this program. All payments for
envelopes are made to you before you are required to mail them, and PAYMENT IS GUARANTEED!...

6
7 No other disclosure document containing material information regarding the mail processing
8 opportunity or Nationwide Marketing, including but not limited to a financial statement of the seller,
9 accompanied or was referenced in the flyer.

10 III.

11 Nationwide Marketing is not currently registered with the Washington Securities Division to offer
12 or sell business opportunities in the state of Washington and has not previously been so registered. It is in
13 the public interest that the offer and/or sale of the above-described mail processing opportunity in violation
14 of the Washington Business Opportunity Fraud Act cease.

15 Based upon the above Findings of Fact, the following Conclusions of Law are made:

16 CONCLUSIONS OF LAW

17 I.

18 The offer and/or sale of the mail processing opportunity described in Tentative Findings of Fact I
19 and II constitutes the offer and/or sale of a business opportunity as defined in RCW 19.110.020(1).

20 II.

21 The offer and/or sale of the mail processing opportunity described in Tentative Findings of Fact I
22 and II was made in violation of RCW 19.110.070 and RCW 19.110.120 because Respondent Nationwide
23 Marketing failed to provide prospective purchasers with a complete disclosure document containing

1 material information regarding the mail processing opportunity and the seller, including but not limited to a
2 financial statement of the seller.

3
4 III.

5 The offer and/or sale of the mail processing opportunity as described in Tentative Findings of Fact
6 I through III was made in violation of RCW 19.110.050(1) because no business opportunity registration has
7 been made nor a permit issued to Respondent Nationwide Marketing for the offer and/or sale of the
8 business opportunity in this state.

9 FINAL ORDER

10 Based upon the above Findings of Fact and Conclusions of Law, it is hereby:

11 ORDERED That Nationwide Marketing, Wayne Alexander, and their agents and employees, each
12 cease and desist from offering and/or selling business opportunities in violation of RCW 19.110.070 and
13 RCW 19.110.120, the disclosure document and antifraud provisions of the Business Opportunity Fraud Act,
14 respectively.

15 ORDERED That Nationwide Marketing, Wayne Alexander, and their agents and employees, each
16 cease and desist from offering and/or selling business opportunities in violation of RCW 19.110.050(1), the
17 registration requirement provision of the Business Opportunity Fraud Act.

18
19 This Order is entered pursuant to the provisions of RCW 19.110.150 and chapter 34.05 RCW.

20 WILLFUL VIOLATION OF THIS ORDER IS A CRIMINAL OFFENSE.

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22 Dated this 5th day of November, 2002.

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Deborah R. Bortner
Securities Administrator

Presented by: _____

Brad Ferber
Financial Legal Examiner

Approved by:

Michael E. Stevenson
Chief of Enforcement

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